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BY ECF

The Honorable Paul A. Engelmayer
United States District Court Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Justin Rivera; 19 Cr. 131 (PAE)

Dear Judge Engelmayer:

We write pursuant to the Court's endorsement of MCC New York's request to no longer permit Mr. Rivera from using his laptop now that the trial is concluded. After conferring with Mr. Rivera, he is requesting continued use of his laptop to review discovery and assist in preparing his appeal.

Mr. Rivera is facing a discretionary life sentence. As such, and as he has done both prior to after the trial, Mr. Rivera continues to actively work on his case. He desires to continue to review material so that he can use his time productively so that he can meaningfully assist incoming appellate counsel. While MCC New York explains that Mr. Rivera can review discovery in his housing unit now that there are less restrictions, there is no private setting in which he can do so. Further, it cites no other reasons, such as those related to security or improper use, as to why Mr. Rivera should no longer have access to his laptop. Accordingly, we respectfully request that he be permitted to continue to have access to his laptop so that he may review discovery and assist in preparing his appeal.

DENIED. Mr. Rivera has repeatedly violated BOP rules, including with respect to the use of contraband cellphones; cannot be trusted to limit his use and dissemination of materials on a laptop to permitted uses; and, having been convicted at trial, no longer requires laptop access in his cell in order to prepare for an upcoming trial. The Clerk of Court is requested to terminate the motion at Dkt. No. 898. SO ORDERED. 8/23/2021

Respectfully submitted,

/s/

Anthony Cecutti
Jennifer Louis-Jeune
Anna Sideris


PAUL A. ENGELMAYER
United States District Judge